IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR
S.B. Civil Writ Petition No.1504/07
Ramnarayan & Anr. Vs. Motor Accident Claims Tribunal & Ors.

5.10.2007

Hon'ble Mr. Justice Mohammad Rafiq

Shri Satish Khandal for petitioners.
Ms. Yasmin Aktar for respondents.

This writ petition has been filed against the order dated 29.1.2007 whereby the application of the petitioners for encashing one fixed deposit receipt of Rs.25,000/- each made in the name of each of them was rejected by Additional District Judge (FT) No.6 Jaipur City Jaipur.

The learned counsel for the petitioners has argued that petitioners are very poor and they have no other

source of income. It is argued that the learned trial court has not awarded any amount to them in cash and the entire amount of compensation has been ordered to be deposited in three fixed deposits receipts of Rs.25,000/- each in the name of both of them, which comes to Rs.75,000/- to each of them.

In the facts of the case, I find that interest of justice would be served by allowing the petitioners to encash one fixed deposit receipt in the sum of Rs.25,000/- each with whatever interest which is accrued thereupon.

It is therefore directed that the amount of one FDR of Rs.25,000/- as aforesaid deposited with the concerned bank in the name of each of them shall

be allowed to be withdrawn by the petitioners.

With these observations, the writ petition is allowed.

(Mohammad Rafiq),J.

Rs/-